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STATE DOCUMENTS

MAR 22 1972

MONTANA CONSTITUTIONAL CONVENTION

1971-1972

REPORT OF COMMITTEE ON STYLE, DRAFTING, TRANSITION AND SUBMISSION

ON

SUFFRAGE AND ELECTIONS

No. I.

Date Reported: February 24, 1972

John M. Schultz, Chairman

William L. Rutledge, Vice Chairman

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MONTANA CONSTITUTIONAL CONVENTION

COMMITTEE ON STYLE, DRAFTING, TRANSITION AND SUBMISSION

TO: Montana Constitutional Convention

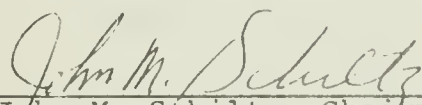
SUBJECT: SUFFRAGE AND ELECTIONS

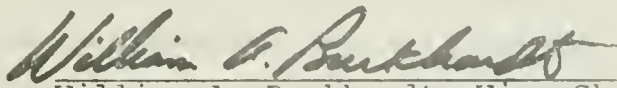
Ladies and Gentlemen:

The Committee on Style, Drafting, Transition and Submission transmits revisions of the above Article for consideration of the Convention.

Immediately following this letter you will find the above Article as revised by the Committee, indicating (by underlining) words we have added and (by crossing out) words we have deleted from the Article as approved. Finally, there is an explanation of the changes we have made.

Sincerely,


John M. Schiltz, Chairman of the
Committee on Style, Drafting,
Transition and Submission


William A. Burkhardt, Vice Chairman
of the Committee on Style, Drafting,
Transition and Submission

1 BE IT PROPOSED BY THE GENERAL GOVERNMENT AND CONSTITUTIONAL
2 AMENDMENT COMMITTEE:

3 That there be a new Article on Suffrage and Elections
4 to read as follows:

5
6 ARTICLE _____

7 SUFFRAGE AND ELECTIONS

8 Section 1. BALLOT. All elections by the people shall
9 be by secret ballot.

10 Section 2. QUALIFIED ELECTOR. Any citizen of the
11 United States ~~who-is~~ 18 years of age or older, ~~and who~~ meets
12 the registration and residence requirements as provided by law
13 is a qualified elector, ~~except-that-no-person-who-is~~ unless
14 he is serving a sentence for a felony in a penal institution
15 or ~~who~~ is judged of unsound mind, as determined by a court.
16 ~~may-vote-~~

17 Section 3. ELECTIONS. The legislature shall provide
18 by law the requirements for residency, registration, absentee
19 voting, and administration of elections. ~~The-legislature~~ It
20 may provide for a system of poll booth registration, and shall
21 insure the purity of elections and guard against abuses of
22 the electoral process.

23 Section 4. ELIGIBILITY FOR PUBLIC OFFICE. Any person
24 ~~qualified to-vote-for-state-officers-at-general-elections~~
25 elector is eligible to any public office except as otherwise
26 provided in this constitution, ~~subject-to-any~~ The legislature
27 may provide additional qualifications ~~provided-by-the-legislature,~~
28 ~~provided,-however,-that~~ but no person convicted of a felony
29 shall be eligible ~~qualified~~ to hold office ~~except-upon~~ until
30 his final discharge from state supervision.

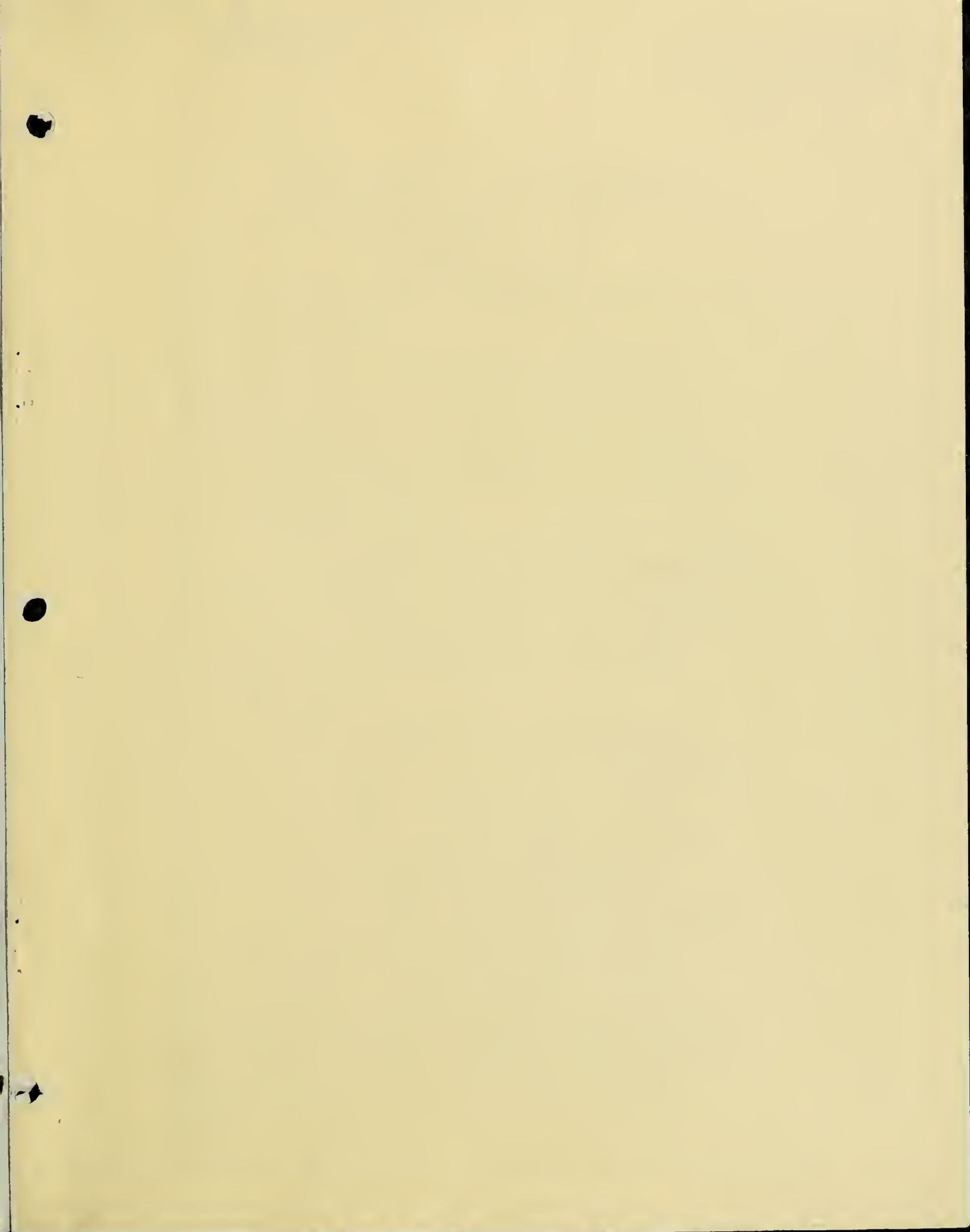
1 Section 5. RESULT OF ELECTIONS. In all elections
2 held by the people ~~under this constitution~~, the person or
3 persons receiving the highest largest number of legal votes
4 shall be declared elected.

5 Section 6. PRIVILEGE FROM ARREST. ~~Electors shall in~~
6 ~~all cases, except treason, felony or breach of the peace,~~
7 ~~be privileged from arrest during their attendance at elections~~
8 ~~and in going to and returning therefrom.~~ A qualified
9 elector is privileged from arrest at polling places and
10 in going to and returning therefrom, unless apprehended in
11 the commission of a felony or a breach of the peace.
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Report NO. 1 -- SUFFRAGE AND ELECTIONS

Comments on style, form, and grammar

1 General: A title was added to each section.
2 Section 2: The grammatical changes achieve brevity without
3 altering substance.
4 Section 4: The language deleted from lines 22 and 23
5 repeated the qualifications set forth in section 2. The form
6 of lines 25 through 28 was changed to avoid the presence of
7 "except," "subject to," and "provided, however" in the same
8 sentence.
9 Section 5: The words deleted from line 30 are superfluous.
10 The words "by the people" in line 29 may also be superfluous,
11 but remain to insure certainty that "elections" were political
12 (as opposed to corporate, for example). Re line 1, p.2
13 "numbers" are "large" or "small", not "high" or "low". If a
14 vote is not "legal", it is not a "vote".
15 Section 6. The Convention voted to adopt the language from
16 the present Constitution, the style of which varies from that
17 of this Article. The Committee on Style interpreted the
18 existing language as intended to protect the voter from arrest
19 only for acts committed enroute to the polls. It expressed
20 that interpretation in the proposed substitute. The word
21 "treason" has been omitted because it is the opinion of the
22 Committee on Style that it is included within the term
23 "felony".
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MAR 7 1972

ORDER OF BUSINESS NO. 5 - FINAL CONSIDERATION
STYLE AND DRAFTING - SUFFRAGE AND ELECTIONS - NO. I

ARTICLE

SUFFRAGE AND ELECTIONS

Section 1. BALLOT. All elections by the people shall be by secret ballot.

Section 2. QUALIFIED ELECTOR. Any citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law is a qualified elector unless he is serving a sentence for a felony in a penal institution or is of unsound mind, as determined by a court.

Section 3. ELECTIONS. The legislature shall provide by law the requirements for residence, registration, absentee voting, and administration of elections. It may provide for a system of poll booth registration, and shall insure the purity of elections and guard against abuses of the electoral process.

Section 4. ELIGIBILITY FOR PUBLIC OFFICE. Any qualified elector is eligible to any public office except as otherwise provided in this constitution. The legislature may provide additional qualifications but no person convicted of a felony shall be eligible to hold office until his final discharge from state supervision.

Section 5. RESULT OF ELECTIONS. In all elections held by the people, the person or persons receiving the largest number of votes shall be declared elected.

Section 6. PRIVILEGE FROM ARREST. A qualified elector is privileged from arrest at polling places and in going to and returning therefrom, unless apprehended in the commission of a felony or a breach of the peace.

